

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	RUBÉN CASTILLO	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	08 C 0704	DATE	March 18, 2008
CASE TITLE	U.S. ex rel. Donald Mascio (#B-15769) vs. Roger Walker, et al.		

DOCKET ENTRY TEXT:

By Minute Order of February 4, 2008, the court granted the petitioner's motion for leave to proceed *in forma pauperis* but ordered him to show good cause in writing why his petition should not be dismissed for failure to exhaust state court remedies prior to seeking federal habeas relief. The petitioner was forewarned that failure to show cause within twenty-one days would result in summary dismissal of the petition for a writ of habeas corpus pursuant to Rule 4 of the Rules Governing Section 2254 Cases. Nevertheless, over twenty-one days have elapsed and the petitioner has not responded to the court's order. Accordingly, the case is dismissed. Dismissal is without prejudice to re-filing suit after exhausting state court remedies. The petitioner's motion for appointment of counsel is denied as moot.

■ [Docketing to mail notices.]

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